FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

CRIMINAL APPLICATION NO.150 OF 2006

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

Mr.S.R.Shinde APP for the applicant

Mr.P.P.Surve for the Respondent.

Coram : R.S.Mohite,J

Date : 20.02.2006.

PC

1. This is an application filed by the State impugning a judgment and order passed by the Special Judge (ACB, Greater Mumbai) dated 31.8.2005 acquitting the accused for offences punishable under Sections 7, 11, 13(1) (d) r/w 13(2) of Prevention of Corruption Act 1988. On perusal of the impugned judgment and order, it is seen that the same is passed by cogent and acceptable reasons. As regards the making of demand, the Court has concluded that the complainant who was habitual offender was present in the

Sessions Court where his statement under Section 313 was recorded in some other case. As regards the acceptance, the case of the accused that the complainant planted 2 mobile phones and bundle of Rs.10,000/- in his cabine was accepted as no anthracine powder was found at the hands of the accused and no anthracine powder was put on the mobile phones.

In the circumstances, leave is refused and consequently, appeal to stand dismissed.

(R.S.Mohite,J)